

law by the governor's veto if it is a program, not a requirement that something go into effect at some future date. You have got to find the means by which you are going to pay for it by means of taxation.

What has happened, Delegate Bennett, in Maryland is this, as distinguished from the federal bill. We provide for a balanced budget. The governor presents his as a balanced budget. There is nothing awkward about the fact that the governor has additional programs. The legislature has additional programs. They are not always the same.

The legislature can get its program through by providing the means by which to finance it. This is one of the really important aspects of sound fiscal government and sound fiscal management. You want it, show us how we are going to pay for it. If you do not, you are just simply providing an open end that could wreck havoc on the state fiscal system.

DELEGATE J. CLARK (presiding): Delegate Bennett.

DELEGATE BENNETT: My comment does not go to any great broad program in terms of millions of dollars where extra taxes or the budget would be unbalanced by it, but it goes to a relatively small item, perhaps increasing the salaries of a certain group.

DELEGATE J. CLARK (presiding): Delegate Sherbow.

DELEGATE SHERBOW: I have never sat in the legislature, but I have friends who tell me and I read. Those delegates come around and see the governor and they talk, and the governor thinks they are right or sometimes if he thinks he needs them, he may send in his amendment to the appropriations that he has asked for in the budget.

You see, if they are as small as that and if they are worthwhile, and of course I assume they are always for the best interest of the State of Maryland, then they will get in the budget.

DELEGATE J. CLARK (presiding): Delegate Bennett.

DELEGATE BENNETT: Well, it leaves a tremendous amount of power in the head of the budget system here. He is a practical dictator.

I know from having dealt with budget directors in other places it is pretty frustrating on the administrative officer not to have some appeal to the legislature.

Is there any way, or would you object to any way by which a proviso could be put in which would allow, or prohibit, the governor from reducing an appropriation or excluding an appropriation specifically provided for by a special bill?

DELEGATE SHERBOW: If that is the law which is already in effect, he has to provide for it. But he cannot anticipate a bill that may be passed, except to the extent that in the supplementary appropriation he can provide for it. But if you are talking about a law that has been passed which he may despise and have no use for, he has to include that in the budget. To prohibit a law yet to be passed, he could not possibly know what is required.

We have these safeguards for which I am thankful.

DELEGATE J. CLARK (presiding): Delegate Bennett.

DELEGATE BENNETT: It makes it a difficult question, Judge Sherbow. I do not know how much it advances the security of the budget system to hem it around with so many restrictions.

Thank you very much, sir.

DELEGATE J. CLARK (presiding): Does Delegate Henderson still wish the floor? Delegate James, you asked for the floor a minute ago. The Chair recognizes Delegate James.

DELEGATE JAMES: The only point is that we are setting up a system under which the governor has complete control of his department head. I cannot visualize the department head going to the legislature over the views of the governor.

DELEGATE SHERBOW: Yes, I can visualize some member of the legislature going to the governor over the heads of the department.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Maurer.

DELEGATE MAURER: I have a question for you on section 6.04, line 9, the first two words, "by program."

I recognize, of course, the value of a program type budget as a modern tool in good budget making, but I wonder whether we are so all-knowing that we ought to constitutionalize it. In 20 or 30 years there may be another way of budgeting which is modern and forward-looking. I wondered why the Committee wanted to constitutionalize a program type budget.